

REMARKS

Claims 1-8, 18, and 19 are pending in this application, of which claim 1 is a sole independent claim. Applicants acknowledge, with appreciation, the Examiner's indication that claim 7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this Amendment, claims 1 and 18 have been amended. Care has been exercised to avoid the introduction of new matter. Support for the amendment of claim 1 can be found in, for example, paragraph [0010] of the specification. Claim 18 has been amended to be dependent on claim 1.

Information Disclosure Statement

The Information Disclosure Statements were filed June 12, 2007 and July 11, 2007. Applicants respectfully request the Examiner to acknowledge receipt of the IDSs when reviewed and provide Applicants an appropriately initialed copy of the PTO-1449 form indicating consideration of the cited references.

Claim Objection

The Examiner suggested that claim 18 be amended to be dependent on claim 1. Claim 18 has been amended in the manner suggested by the Examiner. Withdrawal of the objection to claim 18 is, therefore, respectfully solicited.

Claims 1-6, 18, and 19 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Bickham et al in view of Kato et al. Applicants respectfully traverse.

In the statement of the rejection of the claims, the Examiner asserted that the applied combination of Bickham et al. and Kato et al. teaches the claimed subject matter.

Applicants submit that Bickham et al. and Kato et al., either individually or in combination, do not disclose or suggest an optical fiber including all the limitations recited in independent claim 1. Specifically, the applied combination does not teach, at a minimum, an optical fiber which complies with the International Standard of ITU-T G.652, as recited in claim 1.

Bickham et al. teaches a DFF (Dispersion Flattered Fiber), and Kato et al. teaches a NZDSF (Non-Zero Dispersion Shifted Fiber). It should be apparent that the optical fibers of Bickham et al. and Kato et al. are different from the claimed optical fiber in terms of their compliance with the International Standard of ITU-T G.652, directed to a standard single Board optical fiber. The rejection is not legally viable for at least this reason.

Moreover, Applicants submit that the applied combination does not teach “a transmission loss of 0.32 dB/km or less at a wavelength of 1310 nm,” as recited in claim 1. The Examiner asserted that this limitation is taught by Beckham et al. describing, “[t]he attenuation of the optical fiber at a wavelength of about 1383 nm is preferably less than about 0.6 dB/km, more preferably less than about 0.5 dB/km, even more preferably less than about 0.4 dB/km” (paragraph [0017]). It is, however, noted that this paragraph simply describes a desirable value which is different from a practical value. In paragraph [0112], Bickham et al. describes, “the water peak at 1383 nm ... can be lowered, and even virtually eliminated.” This means that

Bickham et al. does not consider O-H related loss at all in paragraph [0017], and therefore, it may be said that the paragraph simply describes a possibility.

Based on the above, Applicants submit Bickham et al. and Kato et al., either individually or in combination, do not disclose or suggest an optical fiber including all the limitations recited in amended independent claim 1. Dependent claims 2-6, 18, and 19 are also patentably distinguishable over Bickham et al. and Kato et al., at least because these claims respectively include all the limitations recited in claim 1. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

Claim 8 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Bickham in view of Kato et al., and further in view of Sasaoka et al.

Claim 8 depends from independent claim 1. Applicants, thus, incorporate herein the arguments made to respond to the rejection of independent claim 1 under 35 U.S.C. § 103 for obviousness predicated upon Bickham et al. and Kato et al.. The Examiner's additional comments and reference to Sasaoka et al. do not cure the previously argued deficiencies of the applied combination of Bickham et al. and Kato et al. Applicants, therefore, respectfully solicit withdrawal of the rejection of claim 8 and favorable consolation thereof.

Conclusion

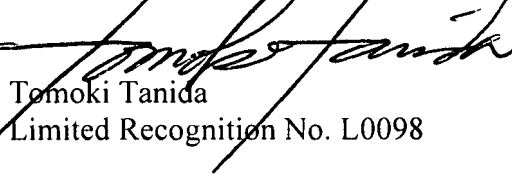
It should, therefore, be apparent that the imposed rejections have been overcome and that all pending claims are in condition for immediate allowance. Favorable consideration is, therefore, respectfully solicited.

Application No.: 10/519,381

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Tomoki Tanida
Limited Recognition No. L0098

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BKS:TT:lnm
Facsimile: 202.756.8087
Date: September 13, 2007

**Please recognize our Customer No. 20277
as our correspondence address.**

WDC99 1460168-1.050212.0631